

(i) Private or contract motor carrier; or

(ii) Common carrier in a motor vehicle under exclusive use for such service.

(1) For additional exceptions, *see* § 173.307.

[Amdt. 173-94, 41 FR 16079, Apr. 15, 1976]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 173.306, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.fdsys.gov.

§ 173.307 Exceptions for compressed gases.

(a) The following materials are not subject to the requirements of this subchapter:

(1) Carbonated beverages.

(2) Tires when inflated to pressures not greater than their rated inflation pressures. For transportation by air, tires and tire assemblies must meet the conditions in § 175.8(b)(4) of this subchapter.

(3) Balls used for sports.

(4) Refrigerating machines, including dehumidifiers and air conditioners, and components thereof, such as precharged tubing containing:

(i) 12 kg (25 pounds) or less of a non-flammable, non-toxic gas;

(ii) 12 L (3 gallons) or less of ammonia solution (UN2672);

(iii) Except when offered or transported by air, 12 kg (25 pounds) or less of a flammable, non-toxic gas;

(iv) Except when offered or transported by air or vessel, 20 kg (44 pounds) or less of a Group A1 refrigerant specified in ANSI/ASHRAE Standard 15 (IBR, *see* § 171.7 of this subchapter); or

(v) 100 g (4 ounces) or less of a flammable, non-toxic liquefied gas.

(5) Manufactured articles or apparatuses, each containing not more than 100 mg (0.0035 ounce) of inert gas and packaged so that the quantity of inert gas per package does not exceed 1 g (0.35 ounce).

(6) Light bulbs, provided they are packaged so that the projectile effects of any rupture of the bulb will be contained within the package.

(b) [Reserved]

[Amdt. 173-94, 41 FR 16081, Apr. 15, 1976, as amended by Amdt. 173-135, 45 FR 13090, Feb. 28, 1980; 65 FR 50462, Aug. 18, 2000; 68 FR 45038, July 31, 2003; 68 FR 75745, Dec. 31, 2003; 69 FR 76174, Dec. 20, 2004; 71 FR 14604, Mar. 22, 2006; 74 FR 2266, Jan. 14, 2009; 76 FR 3380, Jan. 19, 2011]

§ 173.308 Lighters.

(a) *General requirements.* No person may offer for transportation or transport a lighter (see § 171.8 of this subchapter) containing a Division 2.1 (flammable gas) material except under the following conditions:

(1) The lighter must contain a fuel reservoir not exceeding 4 fluid ounces capacity (7.22 cubic inches), and must contain not more than 10 grams (0.35 ounce) of flammable gas.

(2) The maximum filling density may not exceed 85 percent of the volumetric capacity of each fluid reservoir at 15 °C (59 °F).

(3) Each lighter design, including closures, must be capable of withstanding, without leakage or rupture, an internal pressure of at least two times the pressure of the flammable gas at 55 °C (131 °F).

(4) Each appropriate lighter design must be examined and successfully tested by a person or agency (authorized testing agency) who is authorized by the Associate Administrator to perform such examination and testing under the provisions of subpart E of part 107 of this chapter and who—

(i) Has the equipment necessary to perform the testing required to the level of accuracy required;

(ii) Is able to demonstrate, upon request, the knowledge of the testing procedures and requirements of the HMR relative to lighters;

(iii) Does not manufacture or market lighters, is not financially dependent or owned in whole or in part, by any entity that manufactures or markets lighters;

(iv) Is a resident of the United States; and

(v) Performs all examination and testing in accordance with the requirements of paragraph (b)(3) and (4) of this section.

(5) The Associate Administrator will assign an identification code to each